

TENNESSEE REAL ESTATE COMMISSION  
**APPLICATION FOR DECISION REGARDING PRIOR CRIMINAL CONVICTION(S)  
AND/OR DISCIPLINARY SANCTION(S)**

RETURN TO:

Tennessee Real Estate Commission  
500 James Robertson Parkway Ste 180  
Nashville TN 37243

Questions, call 1-800-342-4031  
615-741-2273  
fax 615-741-0313

Tennessee Code Annotated, Sections 62-13-303 and 312 provide in part that the Commission may deny a license to an applicant who has a prior criminal conviction(s) and/or a disciplinary sanction(s) imposed by an occupational licensing body.

Have you taken the exam for licensure? ☐ Yes ☐ No (If yes, see a, if no, see b)

- a. You must answer all parts to this questionnaire and submit all required documentation. One of the letters of reference needs to be from your Principal Broker, on company letterhead, and must respond to all the questions on the Letter of Recommendation Form attached. If it is determined that you need to appear before the Commission, your Principal Broker will need to accompany you. You will be contacted to schedule an appearance.
- b. You must answer all parts to this questionnaire and submit all required documentation. Because of the time and expense involved in becoming an applicant for licensure, the Commission affords an individual who has not yet become an applicant the opportunity to request that the Commission make a preliminary decision on the conviction(s) or the prior disciplinary sanction(s) before the individual takes the required education and examination for license. The purpose of a preliminary decision is merely to provide advisory guidance. However, the Commission may elect to allow a favorable preliminary decision to become its final decision without further investigation or hearing when the individual becomes an applicant for licensure.

**ALL APPLICANTS MUST COMPLETE THE FOLLOWING:**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_ Date of Birth \_\_\_\_\_ Social Security No. \_\_\_\_\_

e-mail address \_\_\_\_\_

**Type of License For Which You Are Applying:**

☐ Affiliate Broker ☐ Broker ☐ Timeshare Salesperson ☐ Acquisition Agent

☐ Yes ☐ No Have you ever been convicted of, pled nolo contendere to, pled guilty to, or been granted first offender treatment upon being charged with any criminal offense(s) other than a traffic violation? (includes DUI)

☐ Yes ☐ No Have you ever been disciplined by any state or federal licensing agency or authority which regulates any profession? (Disciplinary actions include, but are not limited to, such actions as: a reprimand, a suspension, a revocation, a fine, or any restriction placed on your rights to operate as a licensee.)

☐ Yes ☐ No Are you more than two months behind in making any child support payments?

☐ Yes ☐ No Are you still on probation? (PLEASE NOTE: The Commission has a policy which states that no person shall be considered for licensure unless two years has passed from the date of expiration of probation, parole, conviction, or from the date of release from incarceration, whichever is later in time. This policy applies to all felonies and to misdemeanors involving the theft of money or property.)

IF YOU CHECKED YES TO ANY OF THE ABOVE QUESTIONS, YOU MUST COMPLETE THIS FORM IN ITS ENTIRETY AND SUBMIT SAME TO TREC WITH THE REQUIRED DOCUMENTATION. **If you have more than one conviction or disciplinary action, you must list each one separately and answer the following questions relative to each conviction/disciplinary action. Use additional sheets if necessary to respond fully and completely to each question and number your responses to the corresponding question.**

**SECTION A**

What was the exact charge(s) with which you were convicted?

Charge 1 \_\_\_\_\_ Date of judgment \_\_\_\_\_

Sentence \_\_\_\_\_ Date Probation ended \_\_\_\_\_

Charge 2 \_\_\_\_\_ Date of judgment \_\_\_\_\_

Sentence \_\_\_\_\_ Date Probation ended \_\_\_\_\_

Charge 3 \_\_\_\_\_ Date of judgment \_\_\_\_\_

Sentence \_\_\_\_\_ Date Probation ended \_\_\_\_\_

In your own words, describe what happened for each separate charge \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1. How old were you at the time of the conviction(s)? Charge 1 \_\_\_\_\_ Charge 2 \_\_\_\_\_ Charge 3 \_\_\_\_\_

2. Were any other parties involved? ☐ Yes ☐ No \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Were any other parties harmed? ☐ Yes ☐ If so, how \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. What were the circumstances surrounding your conviction(s)/disciplinary action(s)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. What was your motivation for committing the unlawful act(s)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Have you made all required restitution? ☐ Yes ☐ No (Charge 1) ☐ Yes ☐ No (Charge 2) ☐ Yes ☐ No (Charge 3)

7. Have you completed all the conditions of your sentence? ☐ Yes ☐ No (If no, give details)

8. What steps have you taken to prevent a recurrence of your unlawful act(s)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. List your work experience since the conviction/disciplinary action \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Why do you think you should be granted a license in spite of the conviction(s)/disciplinary action(s)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The undersigned applicant for preliminary decision by the Tennessee Real Estate Commission does hereby authorize representatives of the Commission to receive any criminal history record pertaining to the undersigned applicant which may be in the files of any federal, state, or local criminal justice agency. The undersigned applicant also certifies that all information given on this application is true, correct, and complete.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

#### SECTION B REQUIRED ATTACHMENTS:

1. An individual seeking a preliminary decision **must submit** to the Commission **a copy of any indictment and conviction or a disciplinary sanction imposed by another licensing regulatory authority. It must show the exact charge, judgment rendered, and end of any probationary period.** If the court disposition is unavailable, you must provide a letter from the court stating that the documents are not available. An individual may also provide the Commission with any additional information that the individual believes may assist the Commission in rendering a preliminary decision.
2. Letters from three character references not related to you by birth or marriage. (See attached form) (If a broker has agreed to hold your license, one of the three letters must be from that broker.) Their letters should indicate (a) whether they are aware of your prior conviction or disciplinary action; (b) how long they have known you (c) how they know you (as a teacher, friend, work colleague, etc); (d) that they understand that you may be handling other people's money, may have access to confidential information, and may have access to other people's property; and (e) their estimation of your current reputation in the community. (Use a copy of attached Letter of Recommendation Form or place on references letterhead and use format of form.)

The Commission cannot begin its processing of your application until it receives all of the above items. The Commission will notify you of its decision when its investigative process is completed.

## LETTER OF RECOMMENDATION

(need 3 character references not related to you by birth or marriage)

If individual, respond to the following questions on this form. If a company, respond to the questions by number on company letterhead.

TO: TENNESSEE REAL ESTATE COMMISSION

RE: License Application of: \_\_\_\_\_  
(applicant's Name)

1. How long have you known the applicant? \_\_\_\_\_
2. In what capacity? (teacher, friend, work colleague, etc) \_\_\_\_\_  
\_\_\_\_\_
3. Are you related by blood or marriage to the applicant? ☐Yes ☐No. If Yes, How?  
\_\_\_\_\_
4. What is your employment, business or profession? \_\_\_\_\_
5. How and when did you learn of the applicant's conviction? \_\_\_\_\_  
\_\_\_\_\_
6. Do you feel the applicant would be trustworthy in handling other people's money, having access to confidential information and access to other people's property? ☐yes ☐No
7. BROKER ONLY: If you are the broker who has agreed to hold the license of the applicant, if granted, you need to respond to questions a-c.
  - a. How long have you been a principal broker? \_\_\_\_\_
  - b. How may agents do you supervise? \_\_\_\_\_
  - c. Are you aware that you will be responsible for the actions of this applicant? ☐Yes ☐No

Your comments regarding this recommendation: (Include your estimation of the applicant's reputation in the community.) (Continue on back if desired)

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Signature